



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PATENT APPLICATION OF: Delisle et al

Our File: 10-336 US

Serial No: 09/838,137

Group: 1874

Filed: 04/20/01

Examiner: Sung Pak

For: Method and Apparatus for Reducing the Wavelength Dependency
of an Integrated Optical Filter

June 4, 2003

DECLARATION UNDER 37 CFR 1.137(a)

Honorable Commissioner of Patents & Trademarks
Washington, D.C.
20231

Sir:

City of Ottawa

Province of Ontario, Country of Canada

RECEIVED

JUN 17 2003

OFFICE OF PETITIONS

I, Neil Teitelbaum, declare that all statements made of my own knowledge are true, and that all statements made on information and belief are believed to be true:

1. I am the Agent of Record for the above-identified patent application.
2. The applicant failed to respond to an Office Action mailed July 8, 2002 because the Office Action was incorrectly addressed to the original address corresponding to Applicant's customer number 24949 instead of Applicant's current address, which has been correctly changed twice, and therefore was never received by the Applicant.
3. The enclosed cover letter is a true copy of the original cover letter, listing the applicant's Customer Number 24949, filed April 20, 2001 with the present application.

4. The enclosed Notice of Customer Number Record Change is a true copy of the notice mailed June 8, 2001 acknowledging the first address change for customer number 24949.
5. The enclosed Request for Customer Number Data Change is a true copy of the request filed March 14, 2002 requesting a second address change for customer number 24949.
6. The enclosed Office Action is a true copy of the Action mailed July 8, 2002 listing the original address corresponding to Customer Number 24949, not either of the newer addresses corresponding to the aforementioned address changes.
7. My office never received the aforementioned Office Action during the six month period following July 8, 2002.
8. I only learned of the existence of the aforementioned Office Action from a phone message left by Examiner Pak on February 6, 2003.
9. I acknowledge that willful false statements and the like are punishable by fine and/or imprisonment, and may jeopardize the validity of the application or any patent issuing therefrom.

Sworn at the city of Ottawa in the Province of Ontario, Canada, this fifth day of June, 2003.

A handwritten signature in black ink, appearing to read 'N Teitelbaum', with a stylized, cursive script.

Neil Teitelbaum